

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RANDALL POPE,

Plaintiff,

v.

L. KISS,

Defendant.

No. 2:24-cv-00325-DC-AC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 10)

Plaintiff Randall Pope is a state prisoner appearing *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 21, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to Plaintiff's failure to prosecute this action, failure to comply with a court order, and failure to comply with the Local Rules. (Doc. No. 10.) Specifically, Plaintiff failed to comply with the court's order dated February 4, 2025, in which Plaintiff's complaint was dismissed due to his failure to state a cognizable claim and Plaintiff was directed to file a first amended complaint within thirty days. (Doc. No. 8.) Plaintiff did not thereafter file a first amended complaint. In addition, as the magistrate judge notes in the pending findings and recommendations, Plaintiff also failed to comply with Local Rule 183(b)'s requirement that he notify the court of any change in his address of record. (*Id.* at 1.) Specifically,

1 on February 24, 2025, the service copy of the court's February 4, 2025 order that was mailed to
2 Plaintiff at his address of record was returned to the court marked as "Undeliverable, Return to
3 Sender; Unable to Forward." Thus, pursuant to Local Rule 183, Plaintiff was required to file a
4 notice of his change of address with the court no later than April 3, 2025, and he has not done so.

5 The pending findings and recommendations were served on Plaintiff and contained notice
6 that any objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 10
7 at 2.) To date, no objections to the findings and recommendations have been filed, and the time in
8 which to do so has now passed.

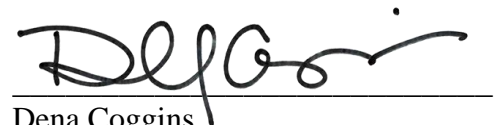
9 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
10 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
11 findings and recommendations are supported by the record and by proper analysis.

12 Accordingly:

- 13 1. The findings and recommendations issued on March 21, 2025 (Doc. No. 10) are
14 ADOPTED in full;
- 15 2. This action is DISMISSED, without prejudice, due to Plaintiff's failure to
16 prosecute this action, failure to comply with a court order, and failure to comply
17 with the Local Rules; and
- 18 3. The Clerk of the Court is directed to close this case.

19
20 IT IS SO ORDERED.

21 Dated: April 20, 2025


Dena Coggins
United States District Judge